

Case3:07-cv-05944-SC Document998 Filed08/29/11 Page1 of 11

1 GUIDO SAVERI (Bar No. 22349)
2 guido@saveri.com
3 R. ALEXANDER SAVERI (Bar No. 173102)
4 rick@saveri.com
5 CADIO ZIRPOLI (Bar No. 179108)
6 cadio@saveri.com
7 SAVERI & SAVERI, INC.
8 706 Sansome Street
9 San Francisco, California 94111
10 Telephone: (415) 217-6810
11 Facsimile: (415) 217-6913

12 *Interim Lead Counsel for the
13 Direct Purchaser Plaintiffs Class*

14 MARIO N. ALIOTO (Bar No. 56433)
15 malioto@tatp.com
16 LAUREN C. RUSSELL (Bar No. 241151)
17 laurenrussell@tatp.com
18 TRUMP, ALIOTO, TRUMP & PRESCOTT, LLP
19 2280 Union Street
20 San Francisco, California 94123
21 Telephone: (415) 563-7200
22 Facsimile: (415) 346-0679

23 *Interim Lead Counsel for the
24 Indirect Purchaser Plaintiffs Class*

25 James L. McGinnis (Bar No. 95788)
26 jmcmcinnis@sheppardmullin.com
27 SHEPPARD MULLIN RICHTER & HAMPTON LLP
28 Four Embarcadero Center, 17th Floor
San Francisco, California 94111
Telephone: (415) 434-9100
Facsimile: (415) 434-3947

29 *Defense Liaison Counsel*

30 **UNITED STATES DISTRICT COURT**

31 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

32 **IN RE: CATHODE RAY TUBE (CRT)**
33 **ANTITRUST LITIGATION**

34 **MASTER FILE NO.. 07-cv-5944 SC**

35 **MDL NO. 1917**

36 **STIPULATION AND [PROPOSED]**
37 **ORDER**

1 It is hereby stipulated by and between the Direct Purchaser Plaintiffs ("DPPs") and the
 2 Indirect Purchaser Plaintiffs ("IPPs") and the undersigned defendants ("Defendants") in this action
 3 as follows:

4 WHEREAS, on June 29, 2011, the Honorable Samuel Conti ordered upon the
 5 recommendation of the Special Master, Charles A. Legge, that DPPs and IPPs have until
 6 September 1, 2011 to provide a list to Defendants of certain documents produced in the *In Re:*
 7 *TFT-LCD (Flat Panel) Antitrust Litigation, Case No. M07-1827 SI ("In Re: TFT-LCD")* action for
 8 the limited purpose of identifying documents for potential production in this action ("LCD
 9 Document Stipulation" attached hereto as Exhibit A).

10 WHEREAS, DPPs, and IPPs continue to review the LCD document productions for
 11 relevant documents;

12 WHEREAS, the DPPs and IPPs have requested, and the Defendants have agreed to extend
 13 the deadline for the production of the LCD document list an additional forty five days, such that
 14 the list shall now be provided to Defendants on October 17, 2011;

15 WHEREAS, DPPs and IPPs agree to provide the Defendants with the list of documents on
 16 a rolling basis;

17 IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the
 18 undersigned Plaintiffs and Defendants that:

19 The deadline for DPPs and IPPS to serve Defendants with a list of LCD documents
 20 pursuant to the June 29, 2011 LCD Document Stipulation is extended until October 17, 2011.

21

22 DATED: August 29, 2011

SAVERI & SAVERI, INC.
 GUIDO SAVERI
 R. ALEXANDER SAVERI
 CADIO ZIRPOLI

23

24

25

By: /s/ Guido Saveri
 GUIDO SAVERI
Interim Lead Counsel for the
Direct Purchaser Plaintiffs Class

26

27

28

Case3:07-cv-05944-SC Document998 Filed08/29/11 Page3 of 11

1 DATED: August 29, 2011

TRUMP, ALIOTO, TRUMP & PRESCOTT, LLP
MARIO N. ALIOTO

2

3

By: /s/ Mario N. Alioto

MARIO N. ALIOTO

*Interim Lead Counsel for the
Indirect Purchaser Plaintiffs Class*

4

5 For the Limited Purpose of this Stipulation, Liaison Counsel

6 DATED: August 29, 2011

7 SHEPPARD MULLIN RICHTER & HAMPTON
8 LLP
9 JAMES L. MCGINNIS

10

By: /s/ James L. McGinnis

11 JAMES L. MCGINNIS

12 *Defense Liason Counsel and Counsel for Defendants
Samsung SDI America, Inc., Samsung SDI Co., Ltd.,
Samsung SDI (Malaysia) Sdn. Bhd., Samsung SDI
Mexico S.A. de C.V., Samsung SDI Brasil Ltda.,
Shenzhen Samsung SDI Co. Ltd., and Tianjin Samsung
SDI Co., Ltd.*

13

14

15

16 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

17

18 I, Cadio Zirpoli, attest that concurrence in the filing of this document has been obtained
19 from all signatories. I declare under penalty of perjury under the laws of the United States of
20 America that the foregoing is true and correct. Executed this 29th day of August 2011, at San
Francisco, California.

21

22

23

/s/ Cadio Zirpoli

24

25

26

27

28

Case3:07-cv-05944-SC Document998 Filed08/29/11 Page4 of 11

1 **IT IS SO RECOMMENDED.**

2 DATED: August 29, 2011

3
4 
5 Hon. Charles A Legge
Special Master

6 **IT IS SO ORDERED UPON THE RECOMMENDATION OF THE SPECIAL MASTER.**

7 DATED: August 2, 2011

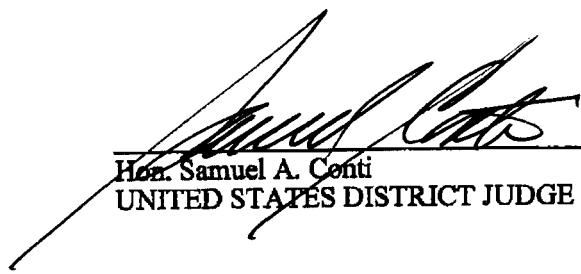
8 
9
10 Hon. Samuel A. Conti
11 UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25 Crt.454
26
27
28

EXHIBIT A

Case3:07-cv-05944-SC Document998 Filed06/23/11 Page7 of 11

Case3:07-cv-05944-SC Document952 Filed06/29/11 Page2 of 6

1 It is hereby stipulated by and between the Direct Purchaser Plaintiffs ("DPPs") and the
 2 Indirect Purchaser Plaintiffs ("IPPs") and the undersigned defendants ("Defendants") in this action
 3 as follows:

4 1. That all documents produced in the *In Re: TFT-LCD (Flat Panel) Antitrust* ·
 5 *Litigation, Case No. M07-1827 SI ("In Re: TFT-LCD")* by entities, including their affiliates except
 6 for Toshiba Mobile Display Co., Ltd., that produced documents in *In Re: TFT-LCD* and are
 7 defendants in this action, can be reviewed by Plaintiffs' counsel in this action for the limited
 8 purpose of identifying documents for potential production in this action pursuant to the procedures
 9 described in Paragraphs 2 and 3 below. Such review will be subject to the protective order in *In*
 10 *Re: TFT-LCD* (Docket No. 241) as well as the protective order herein (Docket No. 306).

11 2. On or before September 1, 2011, Plaintiffs shall provide to all defendants a list of
 12 the foregoing documents from *In Re: TFT-LCD* that they seek to use in this action. The defendant
 13 that produced, or whose affiliate produced, a document in *In Re: TFT-LCD* so identified
 14 ("Producing Party") shall have 45 days to state objections to adding any such document to the
 15 CRT discovery record. Any document as to which no objections have been made shall be deemed
 16 produced herein. The parties shall meet and confer to resolve any objections made and, if
 17 necessary, discuss a process for seeking a ruling from the Special Master and the Court.

18 3. After this initial list is provided, Plaintiffs may supplement the list as necessary
 19 with additional documents covered by Paragraph 1 above to the extent that Plaintiffs were in good
 20 faith unable to finish their review of documents for inclusion in the list contemplated by Paragraph
 21 2 above. Plaintiffs shall provide notice to all defendants of any additions to the list of documents
 22 from the *TFT-LCD* action that they seek to use in this action, absent a showing of good cause, no
 23 later than seven calendar days before intended use in any deposition, submission or other
 24 proceeding, and no later than 30 days prior to the discovery cut off. Absent a showing of good
 25 cause, Plaintiffs may identify no more than ten additional documents in advance of each
 26 deposition. The Producing Party shall promptly state objections to adding any document
 27 identified by Plaintiffs to the CRT discovery record, if any, and the parties shall use the
 28 procedures agreed upon for resolution of disputes as stated in Paragraph 2 above. Any such

PEARSON, SIMON, WARBIAW & PENNY, LLP
 15105 VENTURA BOULEVARD, SUITE 400
 SHERMAN OAKS, CALIFORNIA 91403

Case 3:07-cv-00244-SU Document 983 Filed 08/29/14 Page 11 of 11

Case 3:07-cv-03344-SC Document 952 Filed 06/29/11 Page 3 of 6

1 resolution will be done on an expedited basis so as not to disrupt the taking of a noticed
2 deposition, or the continuance of any pre-trial dates.

3 4. All objections by Defendants with respect to relevancy and admissibility are
4 preserved as to any document from *In Re: TFT-LCD* that may be produced pursuant to the
5 foregoing procedures.

6 5. Absent Court order, this stipulation shall not apply to LG Display Co., Ltd. and LG
7 Display America, Inc. (collectively "LG Display"). Nothing in this stipulation shall preclude
8 Plaintiffs from seeking in this litigation the production of documents produced by LG Display in
9 *In Re: TFT-LCD*

10 | DATED: June 17, 2011

SAVERI & SAVERI, INC.
GUIDO SAVERI
R. ALEXANDER SAVERI
CADIO ZIRBOLI

By: /s/ Guido Saveri
GUIDO SAVERI
*Interim Lead Counsel for the
Direct Purchaser Plaintiff Class*

16 | DATED: June 17, 2011

**TRUMP, ALIOTO, TRUMP & PRESCOTT, LLP
MARIO N. ALIOTO**

DATED: June 17, 2011

MORGAN, LEWIS & BOCKIUS LLP
DIANE L. WEBB

1100 J. Neurosci., November 1, 2006 • 26(44):1092–1101

By: /s/ Scott A. Stempel
SCOTT A. STEMPEL
Counsel for Defendants Hitachi, Ltd., Hitachi Asia,
Ltd., Hitachi America, Ltd., Hitachi Electronic Devices
(USA), Inc., and Hitachi Displays, Ltd.

Case3:07-cv-05944-SC Document998 Filed08/29/11 Page3 of 11

Case3:07-cv-05944-SC Document952 Filed06/29/11 Page4 of 6
Case3:07-cv-05944-SC Document949 Filed06/17/11 Page4 of 6

1 DATED: June 17, 2011

ARNOLD & PORTER LLP
ERIC SHAPLAND

2

3

By: /s/ Eric Shapland

ERIC SHAPLAND

Counsel for Defendants LG Electronics, Inc., LG
Electronics USA, Inc. and LG Electronics Taiwan
Taipei Co., Ltd.

6 DATED: June 17, 2011

DEWEY & LEBOEUF LLP
JEFFREY L. KESSLER

7

8

9

By: /s/ Jeffrey L. Kessler

JEFFREY L. KESSLER

Counsel for Defendants Panasonic Corporation of
North America, MT Picture Display Co., Ltd. and
Panasonic Corporation (f/k/a Matsushita Electric
Industrial Co.)

12 DATED: June 17, 2011

BAKER BOTTS L.L.P.
JOSEPH OSTOYICH

13

14

15

By: /s/ Joseph Ostoyich

JOSEPH OSTOYICH

Counsel for Defendants Koninklijke Philips Electronics
N.V., Philips Electronics North America Corporation,
Philips Electronics Industries (Taiwan), Ltd., and
Philips da Amazonia Industria Electronica Ltda.

18 DATED: June 17, 2011

SHEPPARD MULLIN RICHTER & HAMPTON
LLP
JAMES L. MCGINNIS

19

20

21

By: /s/ James L. McGinnis

JAMES L. MCGINNIS

Defense Liaison Counsel and Counsel for Defendants
Samsung SDI America, Inc., Samsung SDI Co., Ltd.,
Samsung SDI (Malaysia) Sdn. Bhd., Samsung SDI
Mexico S.A. de C.V., Samsung SDI Brasil Ltda.,
Shenzhen Samsung SDI Co. Ltd., and Tianjin Samsung
SDI Co., Ltd.

22

23

24

25

26

27

28

PEARSON, SIMON, WARBURG & PENNY, LLP
16166 VENTURA BOULEVARD, SUITE 400
SHERMAN OAKS, CALIFORNIA 91403

Case3:07-cv-05944-SC Document998 Filed06/29/11 Page10 of 11

Case3:07-cv-05944-SC Document952 Filed06/29/11 Page5 of 6
Case3:07-cv-05944-SC Document949 Filed06/17/11 Page5 of 6

1 DATED: June 17, 2011

2 O'MELVENY & MYERS, LLP
IAN SIMMONS

3 By: /s/ Ian Simmons

4 IAN SIMMONS
5 Counsel for Defendants Samsung Electronics Co., Ltd.
and Samsung Electronics America, Inc.

6 DATED: June 17, 2011

7 BAKER & MCKENZIE LLP
PATRICK J. AHERN

8 By: /s/ Patrick J. Ahern

9 PATRICK J. AHERN
10 Counsel for Defendant Tatung Company of America,
11 Inc.

12 DATED: June 17, 2011

13 WHITE & CASE LLP
14 LUCIUS B. LAU

15 By: /s/ Lucius B. Lau

16 LUCIUS B. LAU
17 Counsel for Defendants Toshiba Corporation, Toshiba
18 America, Inc., Toshiba America Information Systems,
19 Inc., Toshiba America Consumer Products, L.L.C., and
20 Toshiba America Electronic Components, Inc.

21 DATED: June 17, 2011

22 FRESHFIELDS BRUCKHAUS DERINGER US
23 LLP
24 TERRY CALVANI

25 By: /s/ Terry Calvani

26 TERRY CALVANI
27 Counsel for Defendant Beijing Matsushita Color CRT
28 Company, Ltd.

PEARSON, SIMON, WARSHAW & PENNY, LLP
16165 VENTURA BOULEVARD, SUITE 400
SHERMAN OAKS, CALIFORNIA 91403

Case3:07-cv-05944-SC Document998 Filed08/29/11 Page11 of 11

Case3:07-cv-05944-SC Document952 Filed06/29/11 Page6 of 6
Case3:07-cv-05944-SC Document949 Filed06/17/11 Page6 of 6

1 ATTESTATION PURSUANT TO GENERAL ORDER 45
2

3 I, Lauren C. Russell, attest that concurrence in the filing of this document has been
4 obtained from all signatories. I declare under penalty of perjury under the laws of the United
5 States of America that the foregoing is true and correct. Executed this 17th day of June 2011, at
6 San Francisco, California.

7
8 /s/ Lauren C. Russell
9

10
11 IT IS SO RECOMMENDED.
12

13 DATED: June 20, 2011
14

15 Charles A. Legge
16 Hon. Charles A Legge
17 Special Master

18 IT IS SO ORDERED UPON THE RECOMMENDATION OF THE SPECIAL MASTER.
19

20 DATED: June 29, 2011
21

